

**Meeting Minutes**  
**Meeting of December 15, 2011**

A meeting of the Connecticut Siting Council (energy/telecommunications) was held on Thursday, December 15, 2011, in Hearing Room One, Ten Franklin Square, New Britain, Connecticut. The meeting was called to order with a quorum present by Robin Stein at 1:13 p.m.

**Council Members Present:**

Robert Stein  
Chairman  
Colin Tait  
Vice Chairman  
Larry Levesque  
(designee for Chairman DelGobbo)  
Daniel P. Lynch, Jr.

Philip T. Ashton  
James J. Murphy, Jr.  
Barbara Currier Bell  
Brian Golembiewski  
(designee for Commissioner Esty)  
Edward S. Wilensky

**Staff Members Present:**

Linda Roberts  
Executive Director  
Melanie Bachman  
Staff Attorney  
Christina Walsh  
Siting Analyst Supervisor

Robert Mercier  
Siting Analyst  
David Martin  
Siting Analyst  
Michael Perrone  
Siting Analyst

**Recording Secretary:**

Carriann Mulcahy

**Minutes of November 17, 2011.**

Mr. Murphy moved to remove this item from the table, seconded by Dr. Bell. The motion passed unanimously.

Mr. Murphy moved to approve the minutes of November 17, 2011, seconded by Dr. Bell. The motion passed unanimously.

**Minutes of December 1, 2011.**

Dr. Bell moved to approve the minutes of December 1, 2011, seconded by Mr. Ashton. The motion passed with Mr. Lynch abstaining.

**DOCKET 370A-MR -The Connecticut Light & Power Company Certificate of Environmental Compatibility and Public Need for the Manchester Substation to Meekville Junction Circuit Separation Project in Manchester, Connecticut. Development and Management Plan Changes.**

Mr. Ashton moved to approve the changes to the Development and Management Plan, seconded by Mr. Murphy. The motion passed with Mr. Lynch abstaining.

**DOCKET NO. 412 – SBA Towers III and New Cingular Wireless PCS, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and management of a telecommunications facility located at Wewaka Brook Road, Bridgewater, Connecticut. Draft Findings of Fact.**

Mr. Ashton stated that, although he did not attend the public hearing, he had read the transcript and would be voting.

After reviewing the Draft Findings of Fact, Chairman Stein conducted a non-binding straw poll of the Council members with Mr. Ashton, Mr. Levesque, Mr. Wilensky, Mr. Golembiewski, Dr. Bell, Mr. Murphy, and Mr. Tait in favor of the proposed facility and Mr. Lynch and Chairman Stein abstaining.

Chairman Stein directed staff to draft a favorable Opinion and Decision and Order to be reviewed at the next meeting.

**PETITION NO. 984 - BNE Energy, Inc. declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the construction, maintenance, and operation of a 4.8 MW Wind Renewable Generating facility located on Winsted-Norfolk Road (Route 44), Colebrook, Connecticut. Development and Management Plan.**

This item was temporarily passed.

**PETITION NO. 1009 - The Connecticut Light and Power Company petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed installation of a 85-foot steel pole and associated radio communications equipment located at Rapids Road, Stamford, Connecticut. Decision.**

Mr. Murphy moved to remove this item from the table, seconded by Dr. Bell. The motion passed unanimously.

Mr. Tait moved to approve this petition with the condition that the petitioner repairs the stockade fence around the substation, seconded by Mr. Ashton. The motion passed unanimously.

**PETITION NO. 1010 - New Cingular Wireless PCS, LLC petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed installation of an concealed tower on a water tank and associated equipment at a water treatment water plant located at 455 Valley Road, Greenwich, Connecticut. Request for Public Hearing.**

Mr. Tait moved to hold a public hearing on February 9, 2012, in regards to this petition, seconded by Mr. Murphy. The motion passed unanimously.

**PETITION NO. 1014 - UTC Power Corporation petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the installation of a Customer-Side 400 kW Fuel Cell to be located at Eastern CT State University, 83 Windham Street, Willimantic, Connecticut. Decision.**

Mr. Tait moved to approve this petition, seconded by Mr. Lynch. The motion passed unanimously.

**PETITION NO. 1015 – UTC Power Corporation petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the installation of a Customer-Side 400 kW Fuel Cell to be located at New Haven City Hall, 200 Orange Street, New Haven, Connecticut. Decision.**

Mr. Ashton moved to approve this petition, seconded by Dr. Bell. The motion passed unanimously.

**TS-METROPCS-159-111129MA - MetroPCS Massachusetts, LLC d/b/a MetroPCS request for an order to approve tower sharing at an existing telecommunications facility located 250 Silas Deane Highway, Wethersfield, Connecticut.**

Mr. Ashton moved to approve this tower sharing request, seconded by Dr. Bell. The motion passed unanimously.

**DOCKET NO. 421 - T-Mobile Northeast LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 158 Edison Road, Trumbull, Connecticut. Request for Postponement.**

Mr. Ashton moved to add this item to the agenda, seconded by Mr. Lynch. The motion passed unanimously.

Mr. Murphy moved to deny the request for postponement, seconded by Mr. Ashton. The motion passed unanimously.

**Mr. Lynch and Mr. Tait left the meeting at 2:00 p.m.**

**PETITION NO. 984 - BNE Energy, Inc. declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the construction, maintenance, and operation of a 4.8 MW Wind Renewable Generating facility located on Winsted-Norfolk Road (Route 44), Colebrook, Connecticut. Development and Management Plan.**

Mr. Wilensky moved to approve the Development and Management Plan with the following conditions:

- BNE shall conduct long-term noise monitoring at two locations, which are identified as locations M3 and M4 in Figure 1 Wind Colebrook North Noise Monitoring and Receptor Locations submitted as part of BNE's responses to the second set of CSC interrogatories;
- Should blasting be required for the project, BNE shall follow the Controlled Blasting specifications (Section 02211) included as Exhibit 2 of the pre-filed testimony of Douglas Roy, dated March 24, 2011;
- BNE shall formalize the conservation plan in accordance with C.G.S. Chapter 822 Easements and Restrictions, within 90 days of the date of the D&M decision letter. A copy shall be provided to the Council and shall be reviewed and approved by staff. Any request for an extension shall be submitted to the Council in writing for approval. The formal conservation restriction shall remove horseback riding, mountain biking, and timber harvesting as permitted uses. BNE shall record the conservation agreement, including a map showing the limits of the conservation area, on the Land Records of the Town of Colebrook during the time it maintains a lease on the project property;
- BNE shall conduct all reconstruction work on Rock Hall Road in accordance with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control and with the 2004 DEP Stormwater Quality Manual and shall obtain all necessary permits before the commencement of any reconstruction work. BNE shall set aside \$40,000 in an escrow account reserved for repairing any damage to the reconstructed Rock Hall Road by heavy equipment traveling to and from the site;
- BNE shall follow best management practices for any necessary dewatering activities at the site and that these activities be included in reports of its third party environmental inspector.
- BNE shall allow Town officials access to the site for inspection of Erosion & Sedimentation controls with any resulting recommendations to be considered by the on-site contractor and BNE's Environmental Inspector;

- BNE shall submit to the Council any changes to its Stormwater Management Plan based on DEEP permitting requirements;
- BNE shall submit post-construction monitoring studies of bird and bat mortality, as described in the “Study Plan for Post-construction Fatality Monitoring and Bat Acoustic Monitoring for the Colebrook Wind Resource Area, Litchfield County, Connecticut, ” dated August 31, 2011, for each of the first three years of commercial operation of the project;
- BNE shall submit the final foundation design plans prior to installation of the turbine foundations;
- BNE shall incorporate the proposed decommissioning specifications, “Proposed Decommissioning Specifications for Wind Colebrook South and Wind Colebrook North,” included in the Pre-Filed Testimony of John Stamberg submitted by the Town of Colebrook as part of its Decommissioning Plan.
- BNE shall provide the Council with the location of the proposed fencing and signage related to ice throw and ice drop and an explanation of how these locations were determined.
- BNE shall provide to the Council a copy of any Host Community Agreement it reaches with the Town of Colebrook.
- BNE shall submit to the Council a copy of the Development and Management Plan stamped by a Professional Engineer, duly licensed in the State of Connecticut.

**Mr. Tait left the meeting at 1:30 p.m.**

#### **Administrative Matters.**

Chairman Stein announced that the next energy/telecommunications meeting is scheduled for Thursday, January 5, 2012.

Chairman Stein also announced that Verizon and T-Mobile have responded to the Council’s storm survey.

Other calendar dates are as follows:

- ♦ Tuesday, December 20, 2011, beginning at **1:00 p.m., evidentiary public hearing** continuation for Docket No. 421 (T-Mobile/Trumbull), Hearing Room One, Ten Franklin Square, New Britain
- ♦ Thursday, January 5, 2012, beginning at **1:00 p.m.**, energy/telecommunications meeting, Hearing Room Two, Ten Franklin Square, New Britain, Connecticut
- ♦ Tuesday, January 10, 2012, beginning at **2:00 p.m.(field review)/3:00 p.m./7:00 p.m., Docket No. 423 (Cingular) field review and public hearing**, Woodstock Town Hall, Room #1, Lower Level, 415 Route 169, Woodstock, Connecticut
- ♦ Thursday, January 12, 2012, beginning at **1:00 p.m., evidentiary public hearing continuation** for Docket No. 422 (North Atlantic/Cingular/Watertown), Hearing Room One, Ten Franklin Square, New Britain, Connecticut

- ♦ Tuesday, January 17, 2012, beginning at **1:00 p.m., evidentiary public hearing continuation** for the Life-Cycle 2011 proceeding, Hearing Room One, Ten Franklin Square, New Britain, Connecticut
- ♦ Thursday, January 19, 2012, beginning at **1:00 p.m.**, energy/telecommunications meeting, Hearing Room Two, Ten Franklin Square, New Britain, Connecticut

**Adjournment.**

Mr. Ashton moved to adjourn the meeting, seconded by Mr. Murphy. The motion passed unanimously.

Chairman Stein adjourned the meeting at 2:35 p.m.

**Respectfully submitted,**

**Robin Stein**  
**Chairman**

RS/cm